ASSEMBLY BILL No. 56

Introduced by Assembly Member Weber

January 7, 2013

An act to add Article 7 (commencing with Section 32080) to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 56, as introduced, Weber. School facilities: carbon monoxide devices.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires certain new school facilities construction projects that require the approval of the Department of General Services, as specified, to include an automatic fire detection, alarm, and sprinkler system. The act also requires certain modernization projects that require the approval of the department to include an automatic fire detection and alarm system, as specified.

Existing law requires an owner of a dwelling unit intended for human occupancy to install a carbon monoxide device, as specified, in each existing dwelling unit having a fossil fuel burning heater or appliance, a fireplace, or an attached garage.

This bill would require any private or public school building used for educational purposes for kindergarten or any of grades 1 to 12, inclusive, that is built or modernized on or after January 1, 2014, and that has a furnace located inside the school building to have a carbon monoxide device. The bill would require that the carbon monoxide device be installed in close proximity to each furnace located within the school building.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) (1) Carbon monoxide is an odorless, colorless gas produced when fuel, such as gas, oil, kerosene, wood, or charcoal, is burned. Carbon monoxide can cause harmful health effects by reducing the delivery of oxygen to the body's organs, such as the heart, brain, and tissues. The most common symptoms of carbon monoxide poisoning are headaches, dizziness, weakness, nausea, vomiting, chest pain, and confusion. Long-term breathing of carbon monoxide can affect the memory, brain function, behavior, and cognition. According to the American Medical Association, carbon monoxide is the leading cause of accidental poisoning deaths in the United States. Gas furnaces and other fuel-burning appliances are common sources of carbon monoxide poisoning.

(2) The federal Centers for Disease Control and Prevention estimate that each year more than 400 Americans die from unintentional carbon monoxide poisoning, more than 20,000 visit the emergency room, and more than 4,000 are hospitalized due to carbon monoxide poisoning. According to the United States Environmental Protection Agency, a person cannot see or smell carbon monoxide. At high levels, carbon monoxide can kill a person in minutes.

(3) The State Air Resources Board estimates that every year carbon monoxide accounts for between 30 and 40 avoidable deaths, possibly thousands of avoidable illnesses, and between 175 and 700 avoidable emergency room and hospital visits.

(4) There are well-documented chronic health effects of acute carbon monoxide poisoning and prolonged exposure to carbon monoxide, including, but not limited to, lethargy, headaches, concentration problems, amnesia, psychosis, Parkinson's disease, memory impairment, and personality alterations.

(b) (1) On December 3, 2012, Finch Elementary School in Atlanta Georgia, was evacuated after firefighters discovered a carbon monoxide leak from the school's furnace. Firefighters responded to the school after reports came in that people at the

school were unconscious. Although no one was found unconscious, firefighters found people sickened and, in total, 43 students and 10 adults were taken to the local hospital.

(2) The firefighters detected high and unsafe levels of carbon monoxide near a furnace, and detected up to 1,700 parts per million of carbon monoxide in other areas, a very high level of the gas.

(3) The State of Georgia did not require school facilities to have, and Finch Elementary School did not have, carbon monoxide detectors. Two states, Maryland and Connecticut, have passed legislation requiring carbon monoxide detectors in school facilities.

(c) Senate Bill 183 of the 2009–10 Regular Session (Chapter 19 of the Statutes of 2010) requires a dwelling unit that is intended for human occupancy and that has a fossil fuel burning heater or appliance, a fireplace, or an attached garage to have a carbon monoxide alarm, as specified.

(d) Carbon monoxide devices provide a vital, highly effective, and low-cost protection against carbon monoxide poisoning and these devices should be made available to every school in California to help prevent students from being exposed to the effects of carbon monoxide.

SEC. 2. Article 7 (commencing with Section 32080) is added to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, to read:

Article 7. Carbon Monoxide Devices

32080. (a) Except as provided in subdivision (b), any private or public school building that is used for educational purposes for kindergarten or any of grades 1 to 12, inclusive, that is built or modernized on or after January 1, 2014, and that has a furnace located inside the school building shall have a carbon monoxide device, as defined in Section 13262 of the Health and Safety Code, installed in that building.

(b) This article shall not apply to a private or public school building that has completed construction or modernization prior to January 1, 2014.

(c) A private or public school used for educational purposes for kindergarten or any of grades 1 to 12, inclusive, that has a furnace located inside the school building, and that was built or modernized

prior to January 1, 2014, is encouraged to have a carbon monoxide device installed in the building.

32085. A carbon monoxide device installed pursuant to Section 32080 shall be installed in close proximity to each furnace located within the public or private school building so that the device can accurately detect the leakage of carbon monoxide.

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